

Privacy Policy 2021

version 3.2 De Verzuimmakelaar B.V.

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General

De Verzuimmakelaar B.V., having its registered office at Verlengde Velmolen 32, 5406 NT UDEN, is responsible for the processing of personal data as set out in this privacy statement.

As an occupational health service, De Verzuimmakelaar B.V. considers it important to explain its ways of working and handling of privacy-sensitive data. Integrity, transparency, and professionalism are paramount.

Contact details

<http://www.deverzuimmakelaar.nl>

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Definitions:

Personal data: any data that can be directly or indirectly traced back to a natural person.

Medical data: special personal data relating to the physical and/or mental health of the data subject.

Processing of personal data: all manners in which an organization can handle personal data, from data collection to data destruction.

Data subject: the person to whom the personal data relates.

Client: the party receiving care (the employee).

Customer: the party commissioning the assignment to De Verzuimmakelaar B.V. (the employer).

Recipient: the person receiving the personal data.

Consent of the data subject: a clear active action, for example a written statement, including by electronic means, or an oral statement, which shows that the data subject agrees freely, specifically and in an informed and unambiguous manner to the processing of their personal data.

Why do we process personal data?

Employers are legally required to engage an occupational health service, such as De Verzuimmakelaar B.V., for professional guidance of employees who are on sick leave. To be able to provide this professional guidance, we process the personal data of our customers' employees. The data we use in this respect is confidential. Of course, you can trust that we optimally protect this data. In this privacy policy, we explain how we protect your data.



What data do we process?

De Verzuimmakelaar B.V. processes your personal data because you make use of our services and/or because you provide us with this data. The following personal data is being processed:

With regards to the client/employee:

- First and last name
- Address details
- Company name
- Gender
- Date of birth
- Start date of employment
- Final date of employment
- Telephone number
- Email address
- Content of any (email) correspondence
- Content of sick leave record
- Workplace data

With regards to the (potential) customer/employer:

- First and last name
- Address details
- Company name
- Telephone number
- Email address
- Bank account number
- Administrative obligations
- Invoice details

With regards to visitors to our website:

- IP address
- Visitor statistics

Special personal data:

De Verzuimmakelaar B.V. processes the following special and/or sensitive personal data of clients:

- Medical data: to provide professional guidance during sick leave or to conduct a workplace assessment or health examination.
- Citizen Service Number (in Dutch BSN): to perform a legal obligation/to allow the occupational physician to identify the client.

Guidelines



De Verzuimmakelaar B.V. adheres to the following guidelines when processing personal data:

- The policy rules for processing of personal data pertaining to the health of sick employees, drawn up by the Dutch Data Protection Authority https://autoriteitpersoonsgegevens.nl/sites/default/files/atoms/files/beleidsregels_de_zieke_werknemer.pdf (Dutch only)
- KNMG (Royal Dutch Medical Association) guideline for handling medical data <https://www.knmg.nl/advies-richtlijnen/dossiers/medisch-dossier-beroepsgeheim.htm> (Dutch only)
- NVAB (The Netherlands Society of Occupational Medicine) guidelines occupational physician and privacy <https://www.nvabonline.nl/content/bedrijfsarts-en-privacy> (Dutch only)
- OVAL privacy guidelines

For what purpose and on what basis do we process personal data?

De Verzuimmakelaar B.V. shall only process your personal data if you have given your consent or if processing is necessary for the performance of an agreement, for example when providing professional guidance during sick leave. This constitutes the basis for our processing policy. We also process data if this is necessary because of a legal obligation, for example for filing tax returns. Finally, De Verzuimmakelaar B.V. may process data if this is necessary for a legitimate interest. In doing so, we will carefully consider the interests of all parties involved.

Furthermore, De Verzuimmakelaar B.V. only processes your personal data for the following purposes:

- Identification of and communication with client and employer
- Conducting a workplace assessment or medical examination as part of the professional guidance during sick leave
- Drawing up reports and advice for client and employer
- Compiling an (occupational) health file
- Inform you about any changes to our services and products
- Sending our newsletter
- Complying with a legal obligation
- Maintaining visitor statistics on our website
- Quality purposes

We do not apply automated decision-making

De Verzuimmakelaar B.V. does not make any decisions about matters that can have (significant) consequences for individuals based on data that has been automatically processed. This means decisions made by computer programs or systems, without human intervention (for example, by an employee of De Verzuimmakelaar B.V.).

How long do we keep personal data?

De Verzuimmakelaar B.V. does not keep your personal data longer than is strictly necessary to achieve the purposes for which your data has been collected. We use the following retention periods for the following (categories) of personal data:

Category	Retention period	Reason
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Sick leave record (non-medical)	Standard: up to 2 years after end of professional guidance during sick leave. For own-risk bearers: up to 5 years after end of professional guidance during sick leave.	Reasonable term / legal obligation
Sick leave record (medical data, stored by occupational physician)	Up to 20 years after drawing up the medical documents	Legal obligation
Invoice details	7 years	Legal obligation
Customer data	As long as necessary for the execution of our services	Reasonable term
Data of potential customers	As long as necessary for our business operations	Reasonable term

To whom do we transfer your data?

No sale to third parties

De Verzuimmakelaar B.V. never sells your data to any third parties.

Only transfer if necessary

We only disclose personal data to third parties if this is necessary for the performance of our agreement with employer or to comply with a legal obligation. For example, we disclose personal data to the sick leave coach, occupational physician, or other medical professional we hire to provide professional guidance during sick leave or to the accountant and tax authorities for the filing of tax returns.

Transfer to UWV (Employee Insurance Agency)

At the request of the UWV, the occupational physician/occupational health service is legally required to disclose the sick employee's data, which the UWV needs to perform its duties, to the UWV. To protect the sick employee's personal data, the occupational physician/occupational health service may only disclose the (strictly) necessary data pertaining to the health of the employee.

Transfer to insurance companies

The employer can choose to take out sick leave insurance to insure the employer against the obligation to continue payment of wages in case of employee sickness. In that case, De Verzuimmakelaar B.V. can disclose the necessary data to the insurance company at the request of employer to enable a claim assessment. This is done in accordance with the covenant on data exchange between occupational health services and insurance companies.

Limited transfer to employer



We also disclose relevant data from the sick leave record to employer. This data includes the employee's name and date of birth, the date of the last visit to the occupational physician, the advice of the occupational physician about the possibilities of employee to resume work and the procedural guidance arrangements. Substantive and/or medical information shall explicitly not be shared with the employer.

Limited transfer to suppliers

In addition, we use suppliers, including website administrators and hosting companies for hosting our website. The hosting provider hosts your data in Europe; the website administrator only has incidental access to your data when necessary for managing the website. We also make use of sick leave software to help carry out the work. Finally, we use CRM software for customer management. The servers of these parties are also located in Europe, and those parties have no substantive access to your data.

Transfer to other occupational health services

When an employer wants to switch to a new occupational health service provider and/or occupational physician, he must take the following into account when transferring personal data:

- 1) The works council must have agreed to the employer switching to a new occupational health service or physician.
- 2) After a written request from employer, De Verzuimmakelaar B.V. can transfer all health data not subject to medical secrecy, e.g., administrative data, to the new occupational health service
- 3) Medical data that is subject to medical secrecy may only be transferred if:
 - There is a need to disclose such data to be able to provide professional guidance during sick leave. This applies in case a number of employees are ill at the time of the switch or in case a number of employees fall ill again four weeks after they have reported their recovery.
 - The employees have been informed in time about the transfer of data and have been given the opportunity to object to this transfer.
 - The occupational physician has checked whether this obligation to disclose information has been met
 - The occupational physician discloses the medical data to another occupational physician.

Lay down agreements with third parties

We enter into a data processing agreement with companies that process your data on our behalf to ensure the same level of security and confidentiality of your data. De Verzuimmakelaar B.V. remains responsible for these data processing operations.

How do we store and secure personal data?



De Verzuimmakelaar B.V. does everything in its power to optimally secure your personal data against unlawful use. We do this by taking physical, administrative, organizational, and technical measures. If you have the impression that your data has not been properly secured or if there are any indications of misuse, please contact our customer service via info@deverzuimmakelaar.nl

Technical and organizational measures

To ensure the highest possible level of security for personal data, De Verzuimmakelaar B.V. takes, inter alia, the following measures:

The basic principle for processing personal data is that only employees who need access to such data for work related purposes receive access. Substantive medical data can therefore only be accessed by the occupational physician.

De Verzuimmakelaar B.V. uses digital files to the extent possible. Any paper files with (medical) personal data are stored in lockable cabinets. Key management has been laid down in specific regulations.

All employees of De Verzuimmakelaar B.V. who have access to data stored in the register of personal data and the company registration or parts thereof are required to maintain confidentiality, unless disclosure of data is in accordance with the purpose of the registration or is based on any provision of the applicable laws and regulations.

If and insofar as data is disclosed to processors who provide services or carry out assignments on our behalf, De Verzuimmakelaar B.V. shall conclude a data processing agreement with these parties in which agreement is agreed, among other things, that these processors shall also optimally secure said personal data and take the necessary technical and organizational security measures.

Employees and other authorized users of systems of De Verzuimmakelaar B.V. have access to these systems by means of two-way verification. The systems and security measures are set up in such a way that unnecessary collection of data is prevented and that such data is only processed to the extent necessary.

De Verzuimmakelaar B.V. shall periodically assess the risks with respect to the sick leave system to be able to take preventive security measures.

We use Cookies or similar technologies

De Verzuimmakelaar B.V. only uses technical and functional cookies and analytical cookies from Google Analytics that do not infringe on your privacy. A cookie is a small text file that is stored on your computer, tablet, or smartphone when you first visit this website. The cookies we use are only necessary from a technical perspective and allow us to optimize the website for our visitors. They are needed to ensure the website works properly and to remember your preferred settings for example. You can opt out of cookies by changing the settings of your internet browser to refuse cookies. In addition, you can also delete all information that was previously stored via



your browser settings.

Social Media

You can share the messages on the website of De Verzuimmakelaar B.V. via the social media buttons on the website. Those social media channels will only place cookies and collect information when you click on the respective buttons. You can read their privacy statements here:

[LinkedIn](#)

[Facebook](#)

What are your rights?

As a data subject, you have various rights with respect to the personal data processed by De Verzuimmakelaar B.V.

Request requirements

The following applies to every request submitted to exercise your right. To ensure that you are the person requesting to exercise your right, we ask you to include a copy of your identification in the request. To protect your privacy, please blacken out your passport photo, MRZ (machine readable zone, the strip with numbers at the bottom of the passport), passport number and Citizen Service Number (in Dutch BSN) in this copy. We will respond to your request as quickly as possible, but at the latest within four weeks.

Response time

After receiving your request, De Verzuimmakelaar B.V. will respond as soon as possible, but at the latest within 1 month. Depending on the complexity and the number of requests received, this period can be extended by another 2 months if necessary. De Verzuimmakelaar B.V. shall inform the data subject of such an extension no later than 1 month after receiving the request. When the data subject submits their request electronically, the information shall be provided electronically, if possible, unless the data subject requests the information to be provided in another form.

Rights of the employer:

The employer only has rights with respect to their own data, but not with respect to the data De Verzuimmakelaar B.V. has of the employer's employees (clients).

However, the employer has the right to check whether De Verzuimmakelaar B.V. is laying down the conditions and complies with this privacy policy. To do this, employer can hire an independent third party to carry out an audit. The cost involved will be for the expense of employer.

Rights of the data subject (client):

The data subject, including the client, has various rights, which are explained in more detail below.



Right of access

The data subject has the right to view their own personal data processed by us. If the data subject wishes to receive a copy of the data, De Verzuimmakelaar B.V. will provide this information for a reasonable fee. The right of access or copy can be refused if it infringes the privacy of another person.

Right to rectification and supplement

De Verzuimmakelaar B.V. is responsible for processing personal data that is correct. We update the data when necessary. The data subject has the right to request rectification of or to supplement their personal data. This pertains to personal data that is factually incorrect, incomplete, or not relevant for the purpose of processing, or contrary to a legal provision. De Verzuimmakelaar B.V. shall respond to the request within the set deadline. If the request is rejected, we will motivate why. As data controller, De Verzuimmakelaar B.V. shall be required to inform every recipient who has received any personal data of every rectification, unless this is impossible or requires disproportionate effort.

Right to erasure of data / right to be forgotten

At the request of the data subject, De Verzuimmakelaar B.V. shall erase any personal data of this data subject without unreasonable delay, including if:

- the personal data is no longer needed for the purposes for which it was collected or otherwise processed;
- the data subject withdraws their consent and there is no other legal basis for processing;
- the data subject objects to the processing;
- the personal data has been processed unlawfully.

Right to restriction of processing

At the request of the data subject, their personal data shall (temporarily) not be processed and changed. This is possible in the cases mentioned in Article 18 of the General Data Protection Regulation. It is up to De Verzuimmakelaar B.V. to assess the request and weigh the interests of the parties involved. If the data has been processed in a restricted way, De Verzuimmakelaar B.V. shall state this in the file to ensure the recipients of the personal data are aware of the restriction. If the restriction is lifted, the data subject shall be informed thereof.

Right to portability

At the request of the data subject, De Verzuimmakelaar B.V. shall provide their digital data in a form that makes it easy for the data subject to reuse the data and pass it on to another organization.

The data shall be provided in a structured, commonly used, and machine-readable format.

Right to object

The data subject has the right to object to the processing of their personal data for reasons related to their specific situation, if the requirements mentioned in Article 21 of the General Data Protection Regulation are met. De Verzuimmakelaar B.V. itself shall weigh the interests of the parties involved. If a data subject objects, De Verzuimmakelaar B.V. shall stop processing their



data until there is clarity about the lawfulness of the processing in question, unless compelling legitimate grounds determine otherwise.

Right to file a complaint

De Verzuimmakelaar B.V. also wants to point out that you have the possibility to file a complaint with the national supervisory authority, the Dutch Data Protection Authority. You can file a complaint via the following link: <https://www.deverzuimmakelaar.nl/klachtenreglement/>

We regularly update this privacy statement

De Verzuimmakelaar B.V. reserves the right to change this privacy statement and place a new version on the website. We therefore recommend that you regularly consult our website and the page with our privacy statement www.deverzuimmakelaar.nl/privacybeleid/ (Dutch only) to ensure that you are aware of any changes.